

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
September 4, 2012 – 6:00pm
Final Approved Minutes**

Present: Chairman Senya D. Isayeff, Vice-Chairman Thom Clapper, Supervisors Carmen Battavio, Marty Shane and Chuck Proctor. Also present were Township Manager Rick Smith, CFO Jon Altshul, Zoning Officer Mark Gordon, Interim WEGO Police Chief Gene Dooley, Kathryn Yahraes (Historical Commission) and Erich Meyer (Park & Rec). Township Solicitor Kristin Camp was present for the Public Hearing and the Goshen Meadows discussion. Reporters Jeremy Gerrard and Michael Price from the *Daily Local* were also present.

Executive Session

The Board met in Executive Session from 6:00pm to 7:00pm to discuss police contract matters.

Call to Order & Pledge of Allegiance

Senya called the meeting to order at 7:00pm and asked Chief Dooley to lead everyone in the Pledge of Allegiance.

Moment of Silence

Carmen Battavio called for a moment of silence to honor the troops

Recording of Meeting

No one indicated they would be recording the meeting.

Public Comment on Non-Agenda Items

None.

Chairman's Report

- Rick announced that an ABC Education Session will be held on Monday, October 1 from 6:00pm to 9:30pm. Although this is geared toward ABC members, residents are also welcome to attend.
- Senya announced that the Chester County School of Government will run on Tuesday evenings from September 25 through October 30 at the Chester County Library.
- Thom announced that the Pumpkin Fest will be held on Saturday, October 13, with a rain date of Sunday, October 14.
- Senya announced that the Board met in Executive Session on August 21, and earlier this evening to discuss police contract matters. A joint Board Executive Session was held with Westtown Township on August 27 to discuss personnel and police contract matters.

Public Hearing – Billboard Ordinance Amendment

The Board held a public hearing to consider amending the section of the Zoning Ordinance that regulates billboards.

Marty moved to approve the ordinance amendment titled "Zoning" adding a definition for LED signs and amending the regulations for off-premises signs. Chuck seconded the motion. There was no public comment. The Board voted unanimously to approve the motion.

A court reporter was present and will provide a complete transcript of the proceedings.

Goshen Meadows Apartment Project, 1325 West Chester Pike

The applicant was represented by Scott Fagan of Goshen Meadows Investors.

The Board reviewed the draft decision and conditions prepared by Township Solicitor Kristin Camp. (The Conditional Use Hearing for this matter was closed on August 21.) Ms. Camp stated that the applicant requested that Condition #2 be stricken. Carmen said he was personally fine with leaving Condition #2 in as he does not think the Historical Commission is overly demanding on applicants. Marty said the last sentence of Condition #2 seems to shift responsibility from the Supervisors to the Historical Commission, when in fact the Historical Commission serves in an advisory capacity to the Supervisors.

Senya noted that the applicant has already agreed to save this building to the extent possible, and they are the ones taking a financial risk by investing in this project.

Kathryn Yahraes of the Historical Commission said the building represents the finest example of Second Empire architecture in the Township. The Historical Commission would like Goshen Meadows to save the interior staircase and as much of the existing interior as possible.

Mr. Fagan stated that in Condition #4 Goshen Meadows is already agreeing to what the Historical Commission has asked for, so they do not want to have to go back to them for additional approval(s) as indicated in Condition #2. They could live with Condition #2 if they had to, and they are quite willing to work with the Historical Commission, but they can only comply with Historical Commission recommendations to the extent feasible. They do not have a limitless bank account.

Senya noted that Condition #4 was taken verbatim from the recommendations of the Historical Commission.

Thom moved to approve the Conditional Use application for the planned apartment community and adaptive reuse of the Historic Resource as submitted by Goshen Meadows, L.P. for the Smith Property located at 1325 West Chester Pike. The planned apartment community use and adaptive reuse shall substantially conform to the Conditional Use sketch plans dated February 24, 2012 last revised July 2, 2012 and shall follow the Conditional Use Decision issued by the Board dated September 4, 2012 with the exception of Condition #2. Chuck seconded the motion.

Marty stated that the Historical Commission will have another opportunity to review the plans and provide input during the Land Development phase. He said Condition #2 is too onerous on the applicant.

Ms. Camp noted that the Board will not be able to have as much input concerning the building's interior during the Land Development phase.

Kathryn Yahraes stated that the Historical Commission wants the opportunity to provide input if the developer should discover some historical feature when they are renovating the building.

Public Comment: Art Polishuk, Grand Oak Lane – Said he believes Condition #2 should remain. Ms. Camp put it in there for a reason and the applicant has stated he could live with it.

Thom asked who will check to make sure the landscaping buffer meets the requirements of the neighbors who requested it. Mark Gordon said that will be handled during Land Development.

There was no further discussion or public comment. The Board voted 4:1 and the motion carried. (Carmen was opposed.)

Senya asked Mr. Fagan if the conditions were acceptable to him and he said yes.

The Board thanked Mr. Fagan for agreeing to save this example of Second Empire architecture.

Large Format Copier/Scanner/Printer

Mark Gordon recommended the Township lease a new large format copier/scanner/printer from KDI at a cost of \$290 per month. Marty said that in future, he would like the Finance Department to make recommendations to the Board on all buy vs. lease questions. Jon Altshul said in this particular case he would recommend the Township buy the piece of equipment instead of lease it.

Senya requested that Mark Gordon make sure any memory on the old copier be scrubbed.

Chuck moved to authorize the purchase of a Canon large format copier/scanner/printer from KDI pursuant to clarification of the price. Carmen seconded the motion.

Public Comment: Art Polishuk, Grand Oak Lane – Questioned whether the Township really needed this piece of equipment, and suggested they use a printer service when needed instead. Mark Gordon explained how this piece of equipment would be utilized, and Mr. Polishuk then withdrew his objection to its purchase.

There was no further discussion or public comment. The Board voted unanimously to approve the motion.

Mars, Inc. Land Development Plans – 1301 Wilson Drive

The applicant was represented by Plant Manager Erwan De Saint Mars, Project Manager Jonathan Zangwill, and Andrew Eberwein from E.B. Walsh.

Mr. De Saint Mars summarized the project and stated that once the work is completed, their facility will be Gold LEED certified.

Public Comment: Kathryn Yahraes, Vista Drive – Asked for clarification of the property lines, which Mr. De Saint Mars provided.

Public Comment: Neil DeRiemer, Hershey Mill Road – Asked Mr. De Saint Mars to confirm that he stated they were reducing the number of parking spaces on the site, and Mr. De Saint Mars confirmed this.

Marty suggested that Mars consider having an open house to the public once the work is completed.

Marty moved to approve the Land Development application and plans for Mars Drinks submitted by SNC Lavilin for the parking lot changes proposed to the property at 1301 Wilson Drive, West Chester, PA 19380 as depicted in the plans dated February 17, 2012 and last revised June 7, 2012 with the following conditions:

1. The applicant addresses the Township Engineer's comments from the Yerkes letter dated July 24, 2012 to the satisfaction of the Township.
2. The applicant will follow all federal, State and local ordinances and secure all proper permits prior to development of the property.

Chuck seconded the motion.

The applicant agreed to the conditions.

There was no further discussion and no public comment. The Board voted unanimously to approve the motion.

Recommendation to Police Commission

The Board discussed hiring expert Vijay Kapoor of PFM to conduct a comprehensive analysis of the potential costs of the various options available to WEGO with respect to future police services.

Marty said he would like to clarify some misinformation that's going around. The truth is that Mr. Kapoor does not work for the same firm as the counsel to the Police Commission.

Public Comment: Mike Ragni, Larch Lane – Asked how much the study will cost. Jon Altshul said the proposal has a "not to exceed" cost of \$65,000. Marty noted the cost would be split 50/50 with Westtown Township.

Public Comment: Anne Zehner, Troon Lane – Asked what will be covered by the study. Senya said it will identify the potential cost of each option under consideration. Those options include maintaining WEGO in its current form or disbanding it. The study will also examine the cost of each township establishing its own police department. Ms. Zehner asked if this was put out for bid. Jon said no RFP was required as this is a contract for professional services.

Public Comment: Mike Ragni, Larch Lane – Asked where the funds would come from and Jon Altshul said from the General Fund.

Marty moved to recommend the Police Commission enter into a professional services contract with PFM to perform the study at a cost not to exceed \$65,000. Chuck seconded the motion.

Thom suggested the Board hold back on this for one week until it is apparent if progress is being made on the current negotiations. Marty said the results of the study are needed ASAP.

The Board recessed for a five-minute Executive Session and returned.

Public Comment: Art Polishuk, Grand Oak Lane – Asked if the study is going to look at the cost of benefits for WEGO officers compared to those of other officers in the region. Jon said no. Mr. Polishuk asked Senya to have Jon put compile benefit comparison information. Marty said he was not sure that would be helpful. He said The Board wants to be fair to the officers but also has a responsibility to provide the best service to residents at the lowest cost. The Township needs to ensure long-term fiscal responsibility. Marty said this is the most important decision the Board has ever had to make in his 27 years as a Supervisor. There are significant long-term implications for the Township. Carmen stated that the Police Commission already has the information Art is asking for. The Police Commission gets that information every time bargaining comes up; they just have to plug in the latest numbers.

Public Comment: Anne Zehner, Troon Lane – Asked the cost to run WEGO versus the cost of other nearby police forces. Senya stated that WEGO costs approximately \$500 per year for each property in the Township. Marty noted that WEGO has a standalone budget independent from the Township budget.

Public Comment: Neil DeRiemer, Hershey Mill Road – Asked if WEGO has a \$10M unfunded liability today. Jon said that is correct – there is a \$5M pension liability and a \$5M medical liability. Neil asked if that will go away if WEGO officers leave to go to other employers. Jon said he believes some of it would go away if officers move on to other employers.

There was no further discussion or public comment. The Board voted unanimously to approve the motion.

Update on Chief Dumond

Carmen announced that Police Chief John Dumond retired on August 31, and a luncheon was held in his honor. Senya said that Chief Dumond is going to work for CTDI as their Directory of Security.

Any Other Matter

None.

Review of Minutes

The Board reviewed the draft minutes of August 21. There were no changes or corrections. Senya announced that the minutes would stand approved as submitted.

Treasurer's Report & Expenditure Register Report

See attached Treasurer's Report for August 30, 2012.

The Board reviewed the Treasurer's Report and the current invoices. Thom moved to accept the Treasurer's Report of August 30 and the Expenditure Register Report as recommended by the Treasurer, to accept the receipts and to authorize payment of the invoices just reviewed. Chuck seconded the motion. There was no further discussion or public comment. The Board voted unanimously to approve the motion.

Action List

Hershey Mill Dam – Neil DeRiemer said the artistic rendering is being refined. The Board asked him to please get it as soon as possible because the Township needs to send it out to the residents with the announcement for a public meeting.

TAG Action List – Rick said the grant program for the geothermal system has been suspended because they ran out of money.

Correspondence & Reports of Interest

Senya acknowledged receipt of a letter from Chester County regarding the Pennsylvania Natural Heritage Program and Natural Heritage Inventory.

Meetings & Dates of Importance

Senya noted the upcoming meetings as listed in the agenda. Resident Art Polishuk requested that Police Commission meetings be added to the list in future. Senya asked the staff to add them to the Township website.

Public Comment Period

Anne Zehner, Troon Lane – Asked if there will be any more WEGO workshops and Senya said yes. The meetings will be held the second and fourth Tuesday of each month for as long as necessary.

Kathryn Yahraes, Vista Drive – Asked if minutes for the WEGO meetings will be made available and Senya said yes.

Adjournment

There being no further business, the meeting was adjourned at 9:00pm.

Executive Session

The Board met in Executive Session until 11:30pm to discuss police contract matters.

Anne Meddings

Recording Secretary

Attachment: Treasurer's Report

August 30, 2012

TREASURER'S REPORT
2012 RECEIPTS AND BILLS

GENERAL FUND

| | |
|------------------------------|---------------------|
| Real Estate Tax | \$2,282.86 |
| Earned Income Tax | \$395,700.00 |
| Local Service Tax | \$23,200.00 |
| Transfer Tax | \$0.00 |
| General Fund Interest Earned | \$0.00 |
| Total Other Revenue | \$156,832.06 |
| Total Receipts: | \$578,014.92 |

| | |
|----------------------------|---------------------|
| Accounts Payable | 140,317.97 |
| <u>Electronic Pmts:</u> | |
| Health Insurance | \$0.00 |
| Credit Card | \$619.92 |
| Postage | \$0.00 |
| Debt Service | \$0.00 |
| Payroll | \$93,000.00 |
| Total Expenditures: | \$233,937.89 |

(2 Weeks)

STATE LIQUID FUELS FUND

| | |
|----------------------------------|---------------|
| Receipts | \$0.00 |
| Interest Earned | \$0.00 |
| Total State Liquid Fuels: | \$0.00 |

Expenditures: \$0.00

CAPITAL RESERVE

| | |
|-----------------|---------------|
| Interest Earned | <u>\$0.00</u> |
|-----------------|---------------|

Expenditures: \$7,791.50

TRANSPORTATION FUND

| | |
|-----------------|---------------|
| Interest Earned | <u>\$0.00</u> |
|-----------------|---------------|

Expenditures: \$0.00

SEWER OPERATING

| | |
|---------------------|---------------------|
| Receipts | \$269,159.91 |
| Interest Earned | \$0.00 |
| Total Sewer: | \$269,159.91 |

| | |
|----------------------------|--------------------|
| Accounts Payable | \$12,744.07 |
| Debt Service | \$0.00 |
| Total Expenditures: | \$12,744.07 |

REFUSE

| | |
|----------------------|--------------------|
| Receipts | \$71,536.83 |
| Interest Earned | \$0.00 |
| Total Refuse: | \$71,536.83 |

Expenditures \$11,612.49

SEWER CAPITAL RESERVE

| | |
|-----------------|---------------|
| Interest Earned | <u>\$0.00</u> |
|-----------------|---------------|

Expenditures \$3,254.00